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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,088	09/10/2003	William G. Li	USP2133A-TGC	1399
7590		11/16/2004	EXAMINER	
Raymond Y. Chan		CHAN, SING P		
Suite 128				
108 N. Ynez Ave.		ART UNIT		
Monterey Park, CA 91754		PAPER NUMBER		
		1734		

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/658,088

Applicant(s)

LI ET AL.

Examiner

Sing P Chan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,9,13,14,16 and 17 is/are rejected.
- 7) ☒ Claim(s) 2-8,10-12,15 and 18-23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 9, line 29 and line 31, the specification recites "sticker layer 22" however, drawing and other parts of the specification recite "sticker layer 30," and on page 9, line 31, specification recites "background layer 21" however, the drawing does not show a background layer 21.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 13, 14, and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 13 recites the limitation "said secondary background layer" in line 2. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 14 recites the limitation "said secondary background layer" in line 2. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 16 recites the limitation "said secondary background layer" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 9, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Sawatsky (U.S. 6,346,315).

Regarding claim 1, Sawatsky discloses a method of decorating house wares. The method includes coating a coloring layer onto the intermediate protective coating layer, applying a protective layer over the coloring layer, (Col 4, lines 40-47) applying a decoration to the second coating by transfer printing, i.e. sticker layer, and then a further protective coating. (Col 4, lines 11-27)

Regarding claim 9, Sawatsky is considered to use any coloring material to coat the ware, which includes using a high polymer thin film. (Col 4, lines 44-47)

Regarding claim 17, Sawatsky discloses curing or drying the coatings and is considered to allow the coatings to become an integral layer. (Col 3, lines 53-62)

Allowable Subject Matter

9. Claims 2-8, 10-12, 15, 18-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 13, 14, and 16 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

11. The following is a statement of reasons for the indication of allowable subject matter: The claims recite a method of coating on a work piece. The method includes coating a coating film on a treating surface of the work piece with the coating film having a predetermined color by dying the color on the coating film, feeding the coating film onto a water bath such that the coating film is flattened out at a water surface by means of water tension, applying the coating film on the treating surface of the work piece under a uniform water pressure to evenly coat the coating film onto the treating surface, removing a residual of the coating film from the work piece, drying the work piece at an elevated temperature until coating film is coated on the treating surface, (claim 2) coating a first transparent protective layer on the coating film to protect the coating film, attaching a sticker layer having a predetermined character pattern on the first protective layer such that the character pattern of the sticker layer is projected from the coating film to form a three-dimensional appearance with the sticker layer operated under a water treatment to allow the sticker layer to adjustably move on the background layer to align the sticker layer at a desired position with respect to the work piece under the water treatment, (claim 13) and coating a second transparent protective layer onto the first transparent protective layer to sealedly enclose the sticker layer between the first transparent protective layer and the second protective layer to form a three-dimensional

customary coating layer on the work piece. Yamamori et al (JP 2003-290713) disclosed a method of decorating surface of molded article. The method includes providing a molded article, applying a bonded seal to the surface of the article, applying a vacuum to remove air from under the bonded seal, applying a clear protective coating over the seal and the surface of the article. (See Machine English Translation of JP 2003-290713, Page 1, Paragraph 6 to Page 2, Paragraph 10) Yamamori et al does not disclose coating a coating film on a treating surface of the work piece with the coating film having a predetermined color by dying the color on the coating film, feeding the coating film onto a water bath such that the coating film is flattened out at a water surface by means of water tension, applying the coating film on the treating surface of the work piece under a uniform water pressure to evenly coat the coating film onto the treating surface, removing a residual of the coating film from the work piece, drying the work piece at an elevated temperature until coating film is coated on the treating surface, coating a first transparent protective layer on the coating film to protect the coating film, (claim 2) attaching a sticker layer having a predetermined character pattern on the first protective layer such that the character pattern of the sticker layer is projected from the coating film to form a three-dimensional appearance with the sticker layer operated under a water treatment to allow the sticker layer to adjustably move on the background layer to align the sticker layer at a desired position with respect to the work piece under the water treatment, (claim 13), and coating a second transparent protective layer onto the first transparent protective layer to sealedly enclose the sticker layer between the first transparent protective layer and the second protective layer to

form a three-dimensional customary coating layer on the work piece. Fraizer (U.S. 5,931,566) discloses a colored and decorative lighting. The lighting includes a lens with a color film coated onto the lens with clear indicia on a translucent background with a transparent protective layer overlying the color film. (Col 6, line 65 to Col 7, line 12) Fraizer does not disclose coating the lens by dying the color on the coating film, feeding the coating film onto a water bath such that the coating film is flattened out at a water surface by means of water tension, applying the coating film on the treating surface of the work piece under a uniform water pressure to evenly coat the coating film onto the treating surface, removing a residual of the coating film from the work piece, drying the work piece at an elevated temperature until coating film is coated on the treating surface, attaching a sticker layer having a predetermined character pattern on the first protective layer such that the character pattern of the sticker layer is projected from the coating film to form a three-dimensional appearance (claim 2) with the sticker layer operated under a water treatment to allow the sticker layer to adjustably move on the background layer to align the sticker layer at a desired position with respect to the work piece under the water treatment, (claim 13), and coating a second transparent protective layer onto the first transparent protective layer to sealedly enclose the sticker layer between the first transparent protective layer and the second protective layer to form a three-dimensional customary coating layer on the work piece. Sawatsky (U.S. 6,346,315) discloses a method of decorating house wares. The method includes applying a clear protective coat over the surface of house ware, applying a decoration to the protective coating by printing, and applying an outer clear protective coating onto

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the first protective coating and decoration. (Col 3, lines 3-31 and Col 4, lines 17-26)

However, Sawatsky does not disclose coating a coating film on a treating surface of the work piece with the coating film having a predetermined color by dying the color on the coating film, feeding the coating film onto a water bath such that the coating film is flattened out at a water surface by means of water tension, applying the coating film on the treating surface of the work piece under a uniform water pressure to evenly coat the coating film onto the treating surface, removing a residual of the coating film from the work piece, drying the work piece at an elevated temperature until coating film is coated on the treating surface, (claim 2) and attaching a sticker layer having a predetermined character pattern on the first protective layer such that the character pattern of the sticker layer is projected from the coating film to form a three-dimensional appearance with the sticker layer operated under a water treatment to allow the sticker layer to adjustably move on the background layer to align the sticker layer at a desired position with respect to the work piece under the water treatment, (claim 13). A search of the prior art of record did not disclose reference or references in combination with the recited features.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sing P Chan whose telephone number is 571-272-1225. The examiner can normally be reached on Monday-Friday 7:30AM-11:00AM and 12:00PM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher A Fiorilla can be reached on 571-272-1187. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chan Sing P
spc

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PRIMARY EXAMINER